

By: Representatives Ford, Horne

To: Committee of the Whole

HOUSE RESOLUTION NO. 1

1 A RESOLUTION ADOPTING TEMPORARY RULES FOR THE HOUSE OF
2 REPRESENTATIVES.

3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE
4 OF MISSISSIPPI, That the following Rules of the House of
5 Representatives, which were the Rules of the House of
6 Representatives for 1996-2000, as amended, are hereby adopted as
7 the temporary Rules of the House:

8 HOUSE RULES

9 THE SPEAKER AND SPEAKER PRO TEMPORE

10 1. The Speaker, when elected, shall hold office for a term
11 of four (4) years, or until the next regular session of the
12 Legislature following an election for Governor and members of the
13 Legislature, and shall take the chair on every legislative day
14 precisely at the hour to which the House shall have adjourned at
15 the last sitting, immediately call the members to order, cause the
16 roll to be called finally, (late members may file explanations as
17 late but present) and, on the appearance of a quorum, cause the
18 Journal of the proceedings of the last day's sitting to be read,
19 having previously examined and approved the same.

20 2. He shall preserve order and decorum, and, in case of
21 disturbance or disorderly conduct in the galleries or in the
22 lobby, may cause the same to be cleared, may speak to points of
23 order in preference to other members, rising from his seat for
24 that purpose.

25 3. He shall have general control, except as provided by rule
26 or law, of the Hall of the House, and of the corridors and
27 passages and the disposal of the unappropriated rooms in that part

28 of the Capitol assigned to the use of the House, until further
29 order.

30 4. He shall sign all acts, addresses, joint resolutions,
31 writs, warrants and subpoenas of, or issued by order of, the
32 House, and decide all questions of order, subject to an appeal by
33 any member, on which appeal no member shall speak more than once
34 unless by permission of the House. The Speaker may require points
35 of order in writing and may take reasonable time to examine and
36 study same before ruling thereon, during which period
37 consideration of that particular subject matter may be suspended
38 without prejudice and the House proceed to the next order of
39 business.

40 5. He shall rise to put a question, but may state it
41 sitting; and shall put questions in this form, to wit: "As many
42 as are in favor (as the question may be), say 'Aye'"; and after
43 the affirmative voice is expressed, "As many as are opposed, say
44 'No'"; if he doubts, or a division is called for, the House shall
45 divide; those in the affirmative of the question shall first rise
46 from their seats, and then those in the negative; if he still
47 doubts, or a count is required by at least one-fifth (1/5) of the
48 quorum, he shall name one (1) from each side of the question to
49 tell the members in the affirmative and negative, which being
50 reported, he shall rise and state the decision.

51 6. He shall not be required to vote in ordinary legislative
52 proceedings, except where his vote would be decisive, or where the
53 House is engaged in voting by ballot; and in cases of a tie vote
54 for, question shall be decided in the negative.

55 7. He shall have the right to name any member to perform the
56 duties of the chair when the Speaker Pro Tempore shall be unable
57 to do so, but such substitution shall not extend beyond one (1)
58 legislative day; provided, however, that in the case of illness or
59 unavoidable absence of both the Speaker and the Speaker Pro
60 Tempore, he may make such appointment for a period not exceeding

61 five (5) days, with the approval of the House at the time the same
62 is made.

63 8. Upon the death of a member of the House, the Speaker or
64 any member of the House designated by him shall incur such
65 expenses as may be necessary for the purchase on behalf of the
66 House a State Flag for use in connection with the funeral and
67 burial of said member, which flag shall be presented to the family
68 of said member.

69 9. No member or visitor shall visit in the Speaker's stand
70 during the session of the House, except at the instance of the
71 Speaker. The Speaker may call a member to preside when necessary
72 or desirable to confer with a member or visitor.

73 10. All committees, except the Rules Committee and the
74 Management Committee, shall be appointed by the Speaker unless
75 otherwise specially directed by the House.

76 10A. (1) There is hereby created in the House of
77 Representatives the office of Speaker Pro Tempore of the
78 Mississippi House of Representatives (hereinafter Speaker Pro
79 Tempore).

80 (2) The Speaker Pro Tempore shall be elected on the
81 same day and in the same manner and method as may be designated
82 for the election of the Speaker of the House of Representatives.

83 (3) The Speaker Pro Tempore shall serve a term of four
84 (4) years, which term as Speaker Pro Tempore shall expire
85 concurrently with the term being served by the Speaker Pro Tempore
86 as a member of the House of Representatives.

87 (4) Any vacancy in the office of Speaker Pro Tempore
88 occurring during a regular or special legislative session shall be
89 filled by election of the House of Representatives within five (5)
90 calendar days after the vacancy occurs. Any vacancy occurring
91 during an interim between legislative sessions shall be filled
92 within the first five (5) calendar days of the next succeeding

93 regular or special session. The person so elected shall serve
94 only the remainder of the unexpired term.

95 (5) The Speaker Pro Tempore shall have the following
96 powers, duties and responsibilities:

97 (a) To serve as Speaker of the House of
98 Representatives during the absence, illness or disability of the
99 Speaker, thereby assuming all powers, duties, responsibilities and
100 privileges conferred upon the Speaker by the Constitution,
101 statute, law or rule;

102 (b) To become Speaker of the House of
103 Representatives in the event of the death of the Speaker, thereby
104 assuming all powers, duties, responsibilities and privileges
105 conferred upon the Speaker by the Constitution, statute, law or
106 rule. However, if the Speaker Pro Tempore becomes the Speaker of
107 the House, a new Speaker Pro Tempore shall be elected;

108 (c) To preside over the House of Representatives
109 when the Speaker is not presiding and to preside over the House
110 when sitting as the Committee of the Whole unless the Speaker Pro
111 Tempore moved that the House go into the Committee of the Whole;

112 (d) To serve as the Chairman of the House
113 Management Committee, having full powers of discussion,
114 participation and voting;

115 (e) To serve as an ex officio member of the Rules
116 Committee, having full powers of discussion, participation and
117 voting;

118 (f) To consult with the Speaker in resolving
119 points of order or other parliamentary matters; and

120 (g) Such other powers, duties and responsibilities
121 as may be conferred upon the Speaker Pro Tempore by law or
122 legislative rule.

123 RULES COMMITTEE

124 11. From and after December 31, 1987, the Rules Committee
125 shall be composed of the Speaker, who shall be ex officio a voting

126 member thereof, the Speaker Pro Tempore, who shall be ex officio a
127 voting member thereof, one (1) member from the state at large
128 appointed by the Speaker, and ten (10) other members, two (2) from
129 each congressional district as constituted on January 1, 1996, to
130 be selected by the members from their respective congressional
131 districts by caucus. The place of residence of a member
132 representing such district shall determine the congressional
133 district caucus in which he shall participate and for which he may
134 hold membership on the Rules Committee. The Speaker shall appoint
135 the chairman and the vice chairman from among the members of the
136 Rules Committee, but neither the Speaker nor the Speaker Pro
137 Tempore shall be eligible to serve as chairman or vice chairman of
138 the Rules Committee.

139 Any vacancy of a congressional district position occurring
140 during a regular annual legislative session shall be filled by
141 election of the appropriate caucus within ten (10) calendar days
142 after the vacancy occurs. Any such vacancy occurring between
143 regular annual sessions shall be filled by caucus election during
144 the first five (5) calendar days of the next succeeding regular or
145 special session of the Legislature.

146 No member of the Rules Committee shall concurrently serve as
147 a member of the Joint Legislative Committee on Performance
148 Evaluation and Expenditure Review or the House Management
149 Committee, except that the Speaker and the Speaker Pro Tempore
150 shall serve on the Management Committee as provided in Rule 11A.

151 MANAGEMENT COMMITTEE

152 11A. (1) There is hereby created the House of
153 Representatives Management Committee (hereinafter Management
154 Committee) to be composed of the Speaker Pro Tempore, who shall
155 serve as ex officio chairman, having full powers of discussion and
156 voting, the Speaker, who shall be ex officio a voting member
157 thereof, and ten (10) other representatives, two (2) from each
158 congressional district of Mississippi as constituted on January 1,

159 1996, to be elected by caucus of the representatives from each
160 such district. The place of residence of a representative shall
161 determine the congressional district caucus in which the
162 representative shall participate and from which the representative
163 may hold membership on the Management Committee. The members of
164 the Management Committee shall select, from among its members, a
165 vice chairman and secretary.

166 The members of the Management Committee elected in the year
167 1987 shall be elected within ten (10) calendar days following the
168 adoption of this rule. The members of the Management Committee
169 thereafter shall be elected during the first calendar week of each
170 regular session having one hundred twenty-five (125) calendar
171 days. Members shall serve a term of four (4) years, and each
172 member's term shall end on the date on which the member's term in
173 the House of Representatives expires.

174 (2) No member of the Management Committee shall serve
175 concurrently as a member of the Joint Legislative Committee on
176 Performance Evaluation and Expenditure Review or the House Rules
177 Committee, except that the Speaker and the Speaker Pro Tempore
178 shall serve on the Rules Committee as provided in Rule 11.

179 (3) Any vacancy of a congressional district position
180 occurring during a regular annual legislative session shall be
181 filled by election by the appropriate caucus within ten (10)
182 calendar days after the vacancy occurs. Any vacancy occurring
183 between regular annual legislative sessions shall be filled by
184 election by the appropriate caucus during the first five (5)
185 calendar days of the next succeeding regular or special session of
186 the Legislature.

187 (4) The Management Committee shall meet at such times
188 as are necessary for the proper exercise of its functions, and
189 shall have the authority to adopt rules and regulations, not
190 inconsistent with these rules, as it deems necessary for the
191 efficient operation of the committee.

192 (5) Action by a majority vote of the Management
193 Committee shall control and be conclusive on any matter properly
194 concerning the House of Representatives.

195 (6) The committee shall function on a year-round basis
196 and when the Legislature is not in session, members of the
197 committee shall be compensated as provided in Section 25-3-69,
198 Mississippi Code of 1972, for each day spent in actual discharge
199 of their duties and shall be reimbursed for mileage and actual
200 expenses incurred in the performance of their duties. No
201 committee member may incur per diem, travel or other expenses
202 unless authorized by vote at a meeting of the committee, which
203 action shall be recorded in the official minutes of the committee.

204 (7) The Management Committee shall, in addition to its
205 other responsibilities, perform the following duties:

206 (a) Conduct the business affairs of the House of
207 Representatives;

208 (b) Investigate the feasibility of new and
209 additional staff agencies and make recommendations to the House of
210 Representatives;

211 (c) Assign such space in the Capitol or in such
212 other buildings or parts thereof as may be reserved for the House
213 of Representatives and have complete control, authority and
214 jurisdiction over such rooms, chambers, offices and other areas.
215 Any assignment of space shall be subject to change by the
216 Management Committee. No other branch of the government, or a
217 department or agency thereof, shall use any room, chamber, office
218 or other area without specific written authorization from the
219 Management Committee. The Management Committee is hereby
220 authorized to delegate its powers with regard to any such room,
221 chamber, office or other area in connection with the maintenance,
222 repairing, construction, reconstruction and refurbishing thereof
223 in such a manner as it deems advisable;

224 (d) Staff interim committees;

225 (e) Staff standing committees; and
226 (f) Continually assess ways and means to improve
227 the organization, procedures, facilities and working conditions of
228 the House of Representatives.

229 (8) The Management Committee shall have the authority
230 to designate a director, who may also serve as Director of the
231 House Legislative Services Office, and who shall carry out the
232 directives of the Management Committee and shall perform any and
233 all duties of the Management Committee delegated to him. The
234 Management Committee may employ other personnel as may be
235 necessary to discharge its duties and responsibilities. All such
236 personnel shall serve at the pleasure of the Management Committee.

237 The Management Committee shall also have the authority to fix
238 the salaries of all personnel employed by the House of
239 Representatives.

240 All employees of the House of Representatives required to
241 travel in the performance of official duties shall be reimbursed
242 for actual subsistence and travel expenses incurred by them while
243 on official business as provided by law, provided such travel has
244 prior approval of the Management Committee or the director under
245 such authority as may be granted to him by the Management
246 Committee.

247 (9) In providing for the staffing of the Speaker's
248 staff and of committees, the Management Committee shall have the
249 responsibility for determining the necessity of any staff
250 positions requested by the Speaker or the chairman of any
251 committee, as the case may be. The persons to be employed for
252 such positions approved by the Management Committee shall be hired
253 with approval of the Speaker or the chairman of the committee
254 concerned, as the case may be. The Speaker or the committee
255 chairman, as the case may be, shall recommend the compensation to
256 be paid to the Speaker's staff or committee staff members, as the

257 case may be, and the Management Committee shall consider these
258 recommendations when fixing such salaries.

259 (10) The Management Committee, upon request of the
260 chairman of any standing committee of the House of
261 Representatives, may authorize expenses, to include per diem,
262 mileage, meals and lodging, to be paid for members attending the
263 meeting of any standing committee or subcommittees thereof during
264 the period in which the Legislature is not in session, which shall
265 not exceed the compensation provided for members of the Management
266 Committee provided for in subsection (6) of this rule. The
267 Management Committee shall adopt rules and regulations concerning
268 time, places and number of meetings that may be held for which
269 members will be compensated, such rules and regulations to require
270 prior approval of meetings in order for members to be compensated.

271 (11) The Management Committee shall have general
272 administrative powers and the responsibility for the proper
273 operation of the House Legislative Services Office.

274 (a) The director, subject to approval of the
275 Management Committee, shall employ full-time professional,
276 technical, clerical and stenographic assistance as may be
277 necessary to carry out the provisions of this subsection.

278 (b) The House Legislative Services Office shall
279 cooperate with the State Librarian in maintaining a reference
280 library which shall contain, but shall not be limited to, study
281 reports and information gathered by the departments and the
282 various committees of the Legislature so as to provide a
283 continuity of information from year to year.

284 (c) The House Legislative Services Office shall
285 assist the House of Representatives, its committees, commissions
286 and individual members of the House of Representatives as follows
287 in:

288 (i) Bill research;

289 (ii) Bill drafting;

290 (iii) Bill analysis;
291 (iv) Preparation and writing of standing and
292 interim committee reports; and
293 (v) Such other duties as prescribed by the
294 Management Committee.

295 (d) The House Legislative Services Office must be
296 authorized, in writing, by a House member to prepare a draft
297 before it undertakes the preparation thereof.

298 (e) No employee of the House Legislative Services
299 Office shall:

300 (i) Reveal to any person outside his office
301 the contents or nature of any request for services made by any
302 member of the House except with the written consent of the person
303 making such request;

304 (ii) Urge, oppose or attempt to influence any
305 legislation;

306 (iii) Give legal advice on any subject to any
307 person, firm or corporation, except members of the House; nor

308 (iv) During his employment be associated or
309 interested in the private practice of law in any matter without
310 prior approval of the Management Committee.

311 A violation of any provision of this section by an employee
312 shall be sufficient cause for his or her immediate dismissal.
313 However, this paragraph shall not be a limitation on the authority
314 of the Management Committee to dismiss or change its employees.

315 (12) The Office of General Services shall cooperate
316 with the Management Committee in making space available either in
317 the Capitol or in any other buildings easily accessible to members
318 of the Legislature.

319 (13) The funds necessary to carry out the provisions of
320 this rule shall be paid from the funds appropriated to the House
321 of Representatives Contingent Fund made by the Legislature for the
322 purposes herein set out.

323 (14) At such time as there may be created in the Senate
324 of the State of Mississippi a corresponding management committee
325 with like duties and responsibilities of the House Management
326 Committee, the House Management Committee is authorized to meet
327 jointly with such corresponding Senate Management Committee in
328 order to more effectively carry out the provisions of this rule.

329 DUTIES OF THE CLERK

330 12. When a bill has passed, it shall be certified by the
331 Clerk, who shall note thereon the day it passes.

332 13. He shall stand while reading papers to the House, he
333 shall attest all writs, warrants and subpoenas issued by order of
334 the House.

335 14. The Clerk of the House of Representatives shall keep a
336 correct Journal of the proceedings of the House, and, on each day,
337 shall read over the Journal of the preceding day to the House. He
338 shall number, file and preserve in its proper order, each bill,
339 resolution, memorial, or other paper introduced in the House, and
340 carefully engross and enroll all bills, resolutions, memorials and
341 other papers that may be ordered to be engrossed or enrolled; and
342 shall promptly and faithfully discharge all the duties incident to
343 the House, provide for control of employees of the House under
344 Speaker, provide for pay of members, employees, and control pages
345 and porters. (Statutory)

346 15. Pages shall be appointed to serve for one (1) week at a
347 time each, under the control and direction of the Clerk of the
348 House, provided, however, that only persons over the age of twelve
349 (12) years shall be eligible to serve as pages.

350 16. The Sergeant at Arms of the House of Representatives
351 shall give a general supervision, under the direction of the
352 Speaker of the House, attend the sittings thereof, preserve order,
353 execute its commands and all processes issued by its authority;
354 and shall have control of the doorkeepers and servants of the
355 House, not including stenographers, pages, etc. He shall clear

356 the House of all visitors one (1) hour before each session
357 convenes and not allow visitors on the Floor of the House for ten
358 (10) minutes after a session has recessed or adjourned. He shall
359 see that the Hall of the House and the Committee Rooms and the
360 Room of the Speaker of the House, the anterooms, lobbies and
361 galleries thereof are clean, comfortable, heated in winter if
362 necessary to comfort, and lighted at night during the sitting of
363 the House, and that all necessary conveniences are supplied to the
364 members, officers and committees. He shall, on the final
365 adjournment of the Legislature, collect all the remaining
366 stationery and furnishings purchased for the use of the House and
367 deliver the same to the Secretary of State. (Statutory)

368 DUTIES OF THE DOORKEEPERS

369 17. The Doorkeepers of the House of Representatives shall
370 keep the doors thereof under their direction, and perform such
371 other duties as may be required of them.

372 DECORUM AND DEBATE

373 18. When any member desires to speak, to make a motion, or
374 deliver any matter to the House, he shall rise at his desk and
375 respectfully address himself to "Mr. Speaker" and, on being
376 recognized, may address the House from any place on the floor and
377 shall confine himself to the question under debate and avoid
378 personalities.

379 18A. Whenever a member is on the floor of the House while
380 the House is in session, each male member of the House shall wear
381 a coat and necktie, except when seated, and each female member of
382 the House shall wear appropriate attire. No visitor or guest on
383 the House floor shall be required to comply with this rule.

384 19. No member shall call by name another member present in
385 debate.

386 20. If any member, in speaking, or otherwise, transgresses
387 the Rules of the House, the Speaker shall, or any member may on
388 point of order ask the Speaker to call the transgressor to order;

389 and the member called to order shall immediately sit down, unless
390 permitted on motion of another member to explain, and the House if
391 appealed to, shall decide on the case without debate. If the
392 decision be in favor of the member called to order, he shall be at
393 liberty to proceed; if against him and the case requires it, he
394 shall be liable to the censure of the House, or such other
395 punishment as the House may deem proper.

396 21. If a member is called to order for words spoken in
397 debate, the member calling him to order shall indicate the words
398 excepted to, and they shall be taken down in writing at the
399 Clerk's desk and read aloud to the House; but he shall not be held
400 to answer, nor be subject to the censure of the House therefor, if
401 further debate on other business has intervened.

402 22. When two (2) or more members rise at once the Speaker
403 shall name the member who is first to speak.

404 23. No member shall speak more than ten (10) minutes on any
405 main question, or five (5) minutes on an amendment, without leave
406 of the House, unless he be the mover, proposer, or introducer of
407 the matter pending, in which case he shall be permitted to speak
408 in reply, but not until every member choosing to speak shall have
409 spoken. A member who has spoken once, but who has not consumed
410 his whole time shall not be permitted to speak again on the same
411 question until each member that desires to do so shall have
412 spoken.

413 24. After the motion to lay on the table, those in
414 opposition to the motion shall be allowed five (5) minutes for
415 discussion.

416 25. While the Speaker is putting a question, or addressing
417 the House, no member shall walk out of, or across or about the
418 Hall or converse with another, nor when a member is speaking, pass
419 between him and the Chair, or entertain private discourse. And
420 during the session of the House, no member or other person shall
421 remain at the Clerk's desk at any time. No member or others shall

422 expectorate upon the floor of the House, and the Sergeant at Arms
423 and doorkeepers are charged with the strict enforcement of this
424 rule.

425 26. No member shall vote on any question in the result of
426 which he is pecuniarily interested, nor in any other case where he
427 was not present when the question was put.

428 27. Every member who shall be in the House when a question
429 is put shall vote on one (1) side or the other unless the House
430 shall, for special reasons, excuse him.

431 28. No member shall absent himself from the service of the
432 House, unless he shall have leave, or be sick, or unable to
433 attend. Fifteen (15) members shall be authorized to compel the
434 attendance of absent members and order a call of the House.

435 ON MOTIONS, THEIR PRECEDENCE, ETC.

436 29. A motion to adjourn shall always be in order except when
437 operating under the previous question, but a motion to adjourn
438 being lost, shall not be renewed until some business has
439 intervened.

440 30. Every motion made to the House and entertained by the
441 Speaker shall be reduced to writing on the demand of any member,
442 and may be entered on the Journal with the name of the member
443 making the motion.

444 31. When a motion has been made, the Speaker shall state it
445 or (if it be in writing) cause it to be read aloud by the Clerk
446 before being debated, and it shall then be in possession of the
447 House, but may be withdrawn by unanimous consent at any time
448 before a decision or amendment.

449 32. No dilatory motion shall be entertained by the Speaker.

450 33. When a question is under debate, no motion shall be
451 received but:

- 452 (1) To adjourn
453 (2) To lay on the table
454 (3) For the previous question

455 (4) To lay on the table subject to call

456 (5) To postpone to a day certain

457 (6) To refer

458 (7) To amend

459 (8) To postpone indefinitely

460 which several motions shall have precedence in the foregoing
461 order; and no motion to postpone to a day certain, to commit, or
462 to postpone indefinitely, being decided, shall be again allowed on
463 the same day at the same stage of the question.

464 34. A motion to postpone a question beyond the time at which
465 it can be considered is equivalent to complete disapproval and
466 should be treated as a motion to postpone indefinitely.

467 The motion to postpone indefinitely is debatable and opens
468 the main question to debate.

469 A majority vote of the members voting is required for the
470 adoption of the motion to postpone indefinitely. The adoption of
471 a motion to postpone indefinitely shall be treated as a vote on
472 the final passage of a measure and shall be subject to
473 reconsideration as such.

474 35. No motion or proposition on a subject different from
475 that under consideration shall be admitted under color of an
476 amendment; nor shall any amendment be adopted changing the
477 original purpose of the bill.

478 36. The adoption of an amendment to a section shall not
479 preclude further amendments to that section. If a measure is
480 being considered section by section or item by item, only
481 amendments to the section or item under consideration shall be
482 made. The Speaker shall, in recognizing members for the purpose
483 of moving the adoption of amendments, endeavor to cause all
484 amendments to Section 1 to be considered first, then all those to
485 Section 2 and so on. After all sections have been considered
486 separately, the whole measure shall be open for amendment.

487 An amendment to strike all after the enacting or resolving
488 clause or to strike out the enacting or resolving clause of a
489 measure shall, if carried, be considered as equivalent to
490 rejection of the measure by the House, and the vote thereon shall
491 be taken by a roll-call vote. Amendments to an amendment shall be
492 voted on before substitute is taken up. Only one (1) amendment to
493 the amendment is in order at one (1) time; but as rapidly as one
494 is disposed of by rejection or adoption, another is in order as
495 long as any member desires to offer one. A substitute amendment
496 may be offered to an amendment. An amendment to the substitute
497 may be offered. No other amendment can be offered since the third
498 degree has been reached. The vote shall be taken in the following
499 order: the amendment to the amendment shall first be voted on;
500 then the amendment to the substitute; then the substitute
501 amendment and if the substitute is adopted, then the original
502 amendment shall be regarded as automatically tabled.

503 An amendment to a pending question requires only a majority
504 vote for its adoption, even though the question may require a vote
505 greater than a majority, for adoption.

506 It is in order for a House bill with Senate amendments to be
507 referred to the proper committee or committees.

508 On all questions, whether in committee or in the House, the
509 last amendment, the most distant day or hour and the largest sum
510 shall be put first.

511 SUSPENSION OF RULES

512 37. No rule shall be suspended except by the concurrence of
513 two-thirds (2/3) of the members present.

514 38. All motions to suspend the rules shall embrace fully the
515 object for which they are to be suspended.

516 39. A motion to suspend the rules shall be deemed a
517 privileged motion, and shall take precedence of all other motions
518 except the motion to adjourn, but it shall not be in order to make

519 a motion to suspend the rules while the House is engaged in the
520 consideration of other business.

521 40. On a motion to suspend the rules for reading a bill a
522 third time, no debate shall be allowed unless the motion prevails.

523 41. An affirmative vote on a motion to suspend the rules for
524 the purpose of taking up any particular bill, or resolution, shall
525 not have the effect of precluding any motion or amendment in
526 relation thereto which would have been in order if the bill or
527 resolution had been brought before the House in the regular order.

528 42. A motion to suspend the rules for a particular purpose
529 having been decided in the negative, it shall not be in order to
530 renew the motion for the same purpose during the same day.

531 MOTION TO REFER

532 43. Bills, resolutions, petitions, memorials, reports, and
533 other papers addressed to the House may be referred upon original
534 reference at the pleasure of the House by suspension of the rules;
535 provided, however, any bill, resolution, petition, memorial,
536 report, or other paper being before the House after the original
537 reference thereof may be referred to a standing or select
538 committee by a majority vote of the members of the House present
539 and voting.

540 44. The vote on a motion to refer to committee may not be
541 reconsidered. A motion to recommit or commit to committee shall
542 be considered a motion to refer.

543 45. Bills, resolutions, petitions, memorials, reports, and
544 other papers addressed to the House may be presented by any member
545 who shall state briefly to the House the contents thereof; and no
546 such bill, resolution, petition, memorial, report or other paper
547 addressed to the House shall be read in full to the House but
548 shall be filed with the Clerk, attention called thereto, and
549 referred to the proper committee, unless by a majority vote of
550 those present in the House should desire the same read.

551 46. Any member upon recognition by the Speaker may object to
552 the reading of any document before the House. After such
553 objection, the question of reading shall be determined without
554 debate by a majority vote of the members present, upon a brief
555 statement of its substance by the Speaker.

556 47. When a bill, resolution, petition, memorial, report and
557 other paper addressed to the House is offered, a motion made to
558 refer any subject, and different committees are proposed, the
559 question shall be taken in the following order:

560 A standing committee

561 A select committee

562 Committee of the Whole

563 When more than one (1) standing committee is proposed, the
564 last proposed shall be the first voted upon as an amendment to
565 strike out and insert.

566 48. Bills, resolutions, petitions, memorials, reports, and
567 other papers addressed to the House shall, upon introduction, be
568 referred by the Speaker to the committee having jurisdiction over
569 the subject matter, and shall be considered by the House only
570 after having been reported by such committee.

571 Provided, however, it shall be in order to consider a bill,
572 resolution, petition, memorial, report, and other papers under the
573 suspension of rules.

574 49. When a bill or concurrent resolution is originally
575 referred to two (2) or more committees and favorably reported by
576 them, the chairman of the first-named committee shall have the
577 option of handling the bill or resolution on the floor.

578 Local and private bills may, in the discretion of the
579 Speaker, be referred to two (2) or more committees, if, in the
580 discretion of the Speaker, the nature and effect of said local and
581 private bill shall require the consideration of another committee.

582 General bills written in such a way as to be local and
583 private in nature shall be referred by the Speaker to the

584 Committee on Local and Private Legislation and/or such other
585 committee as permitted by the rules.

586 READING OF BILLS

587 50. After a bill has been read for the first time, if there
588 is no objection, the rules shall be considered suspended and the
589 bill placed on its second reading.

590 51. After a bill has been read the second time it shall be
591 subject to amendment, but no discussion shall be allowed, or
592 amendment adopted, until the bill shall have been referred to a
593 committee with the proposed amendments thereto.

594 52. When a bill is up for final passage, and two (2) or more
595 major amendments have been adopted, a motion to recommit shall be
596 in order and have precedence over all other business.

597 53. Special order after the reading of the Journal of the
598 preceding day shall be:

599 (1) Senate messages.

600 (2) Senate bills on the first and second reading and
601 for the proper reference to the committees.

602 (3) House bills on second reading.

603 REGULAR ORDER

604 54. The regular order shall be:

605 (1) Report of select committees.

606 (2) Report of standing committees in their order.

607 (3) Introduction of bills and constitutional
608 amendments.

609 (4) Resolutions, petitions, memorials and other papers.

610 (5) Introduction of guests and visitors.

611 (6) Disposition of pending business on previous day,
612 provided that nothing shall be considered under this section
613 except propositions actually pending before the House at the time
614 of adjournment on said previous day.

615 (7) Consideration of conference reports.

616 When a conference report is called up, only three (3) courses
617 are open: (a) agree, (b) disagree, or (c) recommit to the same or
618 another conference committee with or without instructions.

619 Provided, however, only two (2) motions for the three (3) courses
620 are in order: (a) agree, or (b) recommit to the same or another
621 conference committee with or without instructions. If both
622 motions are offered, the motion to recommit shall take precedence.

623 A conference report must be acted on as a whole and dealt
624 with in its entirety.

625 A conference report may not be amended except by a concurrent
626 resolution.

627 When conference results in disagreement, conferees reporting
628 such disagreement in writing are thereby discharged and new
629 conferees may be appointed.

630 (8) Consideration of bills for concurrence.

631 When Senate amendments to a House bill are before the body,
632 they shall be either concurred in or not concurred in their
633 entirety and not separately. The motion that the House do not
634 concur in Senate amendments but invite conference shall take
635 precedence over the motion that the House do concur. The
636 concurrence in amendments adopted by the other house shall require
637 for adoption the same vote as was required for the original
638 passage of the measure and shall be on roll call duly entered and
639 recorded in the Journal of the House.

640 (9) Consideration of motions to reconsider.

641 (10) Consideration and passage of bills and resolutions
642 on the general calendar.

643 (11) The Rules Committee may report at any time.

644 ORDER OF BUSINESS

645 55. The order of business shall not be changed except by
646 two-thirds (2/3) vote of those present and voting, and all
647 questions relating to the priority shall be decided without
648 debate.

649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681

COMMITTEE OF THE WHOLE

56. In all cases in forming a Committee of the Whole, which shall be done by a two-thirds (2/3) vote of the members present and voting, the Speaker shall leave his chair and the Speaker Pro Tempore shall preside. If the Speaker Pro Tempore is absent or if the Speaker Pro Tempore moved to go into the Committee of the Whole, the Speaker shall appoint a chairman to preside, who shall, in case of disturbance or disorderly conduct in the gallery or lobby, have the power to cause the same to be cleared, but the member making the motion to go into Committee of the Whole shall not be called to the chair.

57. Upon a bill being referred to the Committee of the Whole, the same shall first be read through by the Clerk, unless the committee shall otherwise order, and then read and debated by sections, leaving the title to be last considered. After report, the bill shall again be subject to debate and amendment before the question of engrossing it be taken.

58. The only motions permitted in Committee of the Whole are: to limit debate; to propose amendments; to recommend; to recess committee subject to the call of the chairman; to reconsider, provided said motion to reconsider may be called up immediately or at any time during the time the House is resolved into the Committee of the Whole for the consideration of the matter before the committee; and to rise.

59. The rules of the procedure in the House shall be observed in the Committee of the Whole so far as they may be applicable and in all committees, provided standing and select committees may exclude from their committee procedures those House Rules not compatible, in the opinion of said committee, with the proper function of said committee.

STANDING COMMITTEES

60. (1) The following shall be the standing committees of the House:

682 (a) Rules Committee, as provided for in Rule 11 of
683 these rules;

684 (b) Management Committee, as provided for in Rule
685 11A of these rules;

686	(c) Committee	Number of Members
687	Agriculture	33
688	Apportionment and Elections	17
689	Appropriations	33
690	Banks and Banking	11
691	Conservation and Water Resources	29
692	Constitution	15
693	County Affairs	19
694	Education	31
695	Fees and Salaries of Public Officers	15
696	Game and Fish	15
697	Insurance	17
698	Interstate Cooperation	7
699	Judiciary	50
700	Juvenile Justice	25
701	Labor	11
702	Local and Private Legislation	7
703	Military Affairs	11
704	Municipalities	17
705	Oil, Gas and Other Minerals	17
706	Penitentiary	17
707	Public Buildings, Grounds and Lands	19
708	Public Health and Welfare	28
709	Public Utilities	17
710	Transportation	29
711	Universities and Colleges	11
712	Ways and Means	33

713 (2) No member shall serve on both the Committee on Ways
714 and Means and the Committee on Appropriations. Each member may
715 serve on at least four (4) committees listed in this rule.

716 (3) The Committee on Appropriations and the Committee
717 on Ways and Means each shall consist of thirty-three (33) members
718 appointed by the Speaker, six (6) members from each congressional
719 district as constituted on January 1, 1996, and three (3) members
720 from the state at large. Appointments from the congressional
721 districts shall be made on the basis of seniority. For the
722 purposes of this rule, "seniority" shall mean length of service,
723 continuous or interrupted, in either the House of Representatives
724 or the Senate. However, seniority among members having the same
725 length of service shall be determined as follows: first,
726 continuous, uninterrupted service in the House; second,
727 continuous, uninterrupted service in the House and Senate; third,
728 interrupted service in the House; and fourth, interrupted service
729 in the House and Senate.

730 (4) In order for a member to be eligible for the rights
731 accorded by this subsection (4), a member shall submit a list of
732 his or her committee preferences, setting forth at least ten (10)
733 committees in order of preference with the most preferred being
734 first on the list, to the Clerk of the House by 5:00 p.m. on the
735 third calendar day of the first legislative session immediately
736 following the year in which the members of the Legislature are
737 elected. With regard to committee appointments, the following
738 shall be followed by the Speaker of the House in making such
739 appointments:

740 (a) Each member of the House who has served in the
741 House for less than four (4) years, whether such service be
742 continuous or interrupted, and who is not appointed to be a member
743 of the Committee on Appropriations or the Committee on Ways and
744 Means shall, as a matter of right, be appointed to serve on at

745 least two (2) of the first seven (7) committees on such list, not
746 to include Appropriations and Ways and Means; and

747 (b) Each member of the House who has served in the
748 House for four (4) years or more, whether such service be
749 continuous or interrupted, and who is not appointed to be a member
750 of the Committee on Appropriations or the Committee on Ways and
751 Means shall, as a matter of right, be appointed to serve on at
752 least three (3) of the first seven (7) committees on such list.

753 (5) In making committee appointments, the Speaker shall
754 give consideration to the preferences as expressed by the members
755 on their lists as provided in subsection (4) of this rule, and to
756 the seniority, abilities, and geographic location of the members.

757 61. The first member named on a committee shall be its
758 chairman and the second member named shall be its vice chairman.
759 However, from and after December 31, 1987, no member who serves as
760 chairman or vice chairman of a standing committee shall serve as
761 chairman or vice chairman of another standing committee. There
762 shall be no further rank on committees, the remaining members
763 being listed thereon in alphabetical order. Each committee shall,
764 after its organization, immediately determine by a majority vote
765 what shall constitute a sufficient quorum for it to proceed to
766 business, which quorum shall be not less than a majority of the
767 committee, and shall report said action to the Clerk of the House.

768 62. The Judiciary Committee shall be divided into two (2)
769 divisions to be known as "Division A" and "Division B." The
770 members of each division shall be selected by the Speaker of the
771 House and bills, resolutions and other measures, at the discretion
772 of the Speaker, may be referred to Judiciary en banc, in which
773 event the two (2) divisions shall sit as one (1) committee and be
774 presided over by the Chairman of Division A.

775 63. The chairman of each House committee shall keep a record
776 of meetings and attendance and shall make with his report each
777 time a statement showing the hour his committee met and the hour

778 it adjourned, together with the names of all the members of the
779 committee who were absent from the meeting, who had not been
780 previously excused by him or by the Speaker to attend to other
781 legislative duties.

782 ETHICS COMMITTEE

783 63A. As used in the context of this rule, the word
784 "committee" shall mean the Committee on Ethics of the House of
785 Representatives, and the phrase "majority of the committee" shall
786 mean a majority of the members to which the committee is entitled.

787 The committee shall consist of eight (8) members, one (1)
788 from each congressional district as constituted on January 1,
789 1996, and one (1) from each Supreme Court district, appointed by
790 the Speaker. The Speaker shall appoint from the members a
791 chairman, vice chairman and secretary for the committee.

792 The chairman shall notify all members of the committee at
793 least twenty-four (24) hours in advance of the date, time and
794 place of a meeting. Whenever the chairman shall refuse to call a
795 meeting, a majority of the committee may vote to call a meeting by
796 giving two (2) days' written notice to the Speaker of the House
797 setting forth the time and place for such meeting. Such notice
798 shall be posted in the office of the Clerk of the House, and if
799 such meeting is called while the Legislature is in session the
800 notice shall be read to the House. Thereafter, the meeting shall
801 be held at the time and place specified in such notice.

802 The committee shall conduct its investigations, hearings and
803 meetings relating to a specific investigation or a specific
804 member, officer or employee of the House in closed session, and
805 the fact that such investigation is being conducted or to be
806 conducted, or that hearings or such meetings are being held or are
807 to be held shall be confidential information, unless the person
808 subject to investigation advises the committee in writing that he
809 elects that such hearing shall be held publicly. In the event of
810 such an election, the committee shall furnish such person a public

811 hearing. All other meetings of the committee shall be open to the
812 public.

813 The committee shall receive complaints from any citizen
814 against members, officers and employees of the House alleging
815 improper or unethical conduct. Any such complaint must be in
816 writing signed by the person filing the complaint and acknowledged
817 by a notary public, and must set forth in detail the conduct in
818 question and the section of the Code of Ethics, other House Rule,
819 statute, or of the Constitution violated. The person against whom
820 the complaint has been brought shall be notified in writing and
821 given a copy of the complaint. Within fifteen (15) days after
822 receipt of the complaint, such person may file a written answer
823 thereto with the committee. Upon receipt of the answer, by vote
824 of a majority of the committee, the committee shall either dismiss
825 the complaint within ten (10) days or proceed with a formal
826 investigation, to include hearings, not less than ten (10) days
827 nor more than thirty (30) days after notice in writing to the
828 person so charged that the committee is proceeding with a formal
829 investigation. Personal service of such notice shall be made by
830 the Sergeant at Arms of the House of Representatives and a return
831 made thereon to the committee. Failure of the person charged to
832 file an answer shall not be deemed to be an admission or create an
833 inference or presumption that the complaint is true, and such
834 failure to file an answer shall not prohibit a majority of the
835 committee from either proceeding with a formal investigation or
836 dismissing the complaint.

837 A majority of the committee may, on its own, initiate a
838 preliminary investigation of any suspected violation of the Code
839 of Ethics, other House Rule, statute, or Constitution by a member,
840 officer or employee of the House. If it is determined by a
841 majority of the committee that a violation of a rule or law may
842 have occurred, the person in question shall be notified in writing
843 of the conduct in question and the section of the Code of Ethics,

844 other House Rule, statute or Constitution violated. Within
845 fifteen (15) days, such person may file a written answer thereto.
846 Upon receipt of the answer, by vote of a majority of the
847 committee, the committee shall either dismiss the charges within
848 ten (10) days or proceed with a formal investigation, to include
849 hearings, not less than ten (10) days nor more than thirty (30)
850 days after notice in writing to the person so charged that the
851 committee is proceeding with a formal investigation. Personal
852 service of such notice shall be made by the Sergeant at Arms of
853 the House of Representatives and a return made thereon to the
854 committee. Failure of the person charged to file an answer shall
855 not be deemed to be an admission or create an inference or
856 presumption that the charge is true, and such failure to file an
857 answer shall not prohibit a majority of the committee from either
858 proceeding with a formal investigation or dismissing the charge.

859 In the event that the committee desires to review the
860 statement of economic interest or any other statement filed with
861 the Mississippi Ethics Commission by any member, officer or
862 employee of the House, the commission shall furnish a certified
863 copy of the statement to the committee.

864 In the event that the committee shall elect to proceed with a
865 formal investigation of the conduct of any member, officer or
866 employee of the House, the committee may, in its discretion,
867 employ independent counsel who shall not be employed by the House
868 for any other purpose or in any other capacity during such
869 investigation.

870 Such person shall be entitled to present evidence,
871 cross-examine witnesses, face his accuser, and be represented by
872 counsel.

873 The chairman may continue any hearing for reasonable cause,
874 and upon the vote of a majority of the committee or upon the
875 request of any person subject to investigation, the chairman shall
876 issue subpoenas for the attendance and testimony of witnesses and

877 the production of documentary evidence relating to any matter
878 under formal investigation by the committee.

879 All testimony, documents, records, data, statements or
880 information received by the committee in the course of any
881 investigation shall be private and confidential, except in the
882 case of public hearings or in a report to the House. The
883 committee may release any confidential information, including a
884 report thereon, regarding any member, officer or employee at the
885 request of such member, officer or employee. No report shall be
886 made to the House unless a majority of the committee has made a
887 finding of unethical or improper conduct on the part of the person
888 under investigation. No finding of unethical or improper conduct
889 shall be valid unless signed by at least a majority of the
890 committee. Any such report may include a minority report. No
891 action shall be taken on any finding of improper or unethical
892 conduct nor shall such finding or report containing such finding
893 be made public sooner than seven (7) days after a copy of the
894 finding is sent by certified mail to the member, officer or
895 employee under investigation.

896 The committee may meet with a committee of the Senate to hold
897 investigations or hearings involving employees of the two (2)
898 houses jointly or employees of the Legislative Reference Bureau,
899 the Joint Legislative Committee on Performance Evaluation and
900 Expenditure Review, the Joint Legislative Budget Committee and any
901 other joint committee created by the Legislature; provided,
902 however, no action may be taken at a joint meeting unless it is
903 approved by a majority of the committee.

904 In the event that a member of the committee shall be under
905 investigation, such member shall be temporarily replaced on the
906 committee in a like manner as said member's original appointment.

907 The committee, whether or not at the request of a member,
908 officer or employee concerned about an ethical problem relating to
909 himself alone or in conjunction with others, may render advisory

910 opinions with regard to questions pertaining to legislative ethics
911 or decorum. Such advisory opinions, with such deletions and
912 changes as shall be necessary to protect the identity of the
913 person involved or seeking them, may be published and distributed
914 to all the members of the House.

915 Any member of the committee breaching the confidentiality of
916 materials and events as set forth in this rule shall, by a
917 majority vote of the committee, be removed immediately from the
918 committee and replaced by another member of the House in a like
919 manner as said member's original appointment.

920 Any officer or employee of the House shall be subject to the
921 same restriction of confidentiality as a member of the committee,
922 and a breach of this restriction shall be grounds for dismissal of
923 any officer or employee.

924 The committee may adopt rules of procedure for the orderly
925 conduct of its affairs, investigations, hearings and meetings,
926 which rules are not inconsistent with this rule.

927 The committee shall continue to exist and have authority and
928 power to function after the sine die adjournment of the
929 Legislature, and shall so continue until the expiration of the
930 then current term of office of the members of the committee.

931 CODE OF ETHICS

932 63B. In addition to the other rules of the House of
933 Representatives, and in supplement thereto, the following Code of
934 Ethics is established as a standard of conduct for members.

935 (1) No member, officer or employee of the House shall:

936 (a) Accept employment or engage in any business or
937 professional activity which will require him to disclose
938 confidential information which he has gained by reason of his
939 official position or authority;

940 (b) Improperly disclose confidential information
941 acquired by him in the course of his official duties nor use such
942 information to further his personal interests;

943 (c) Use or attempt to use his official position to
944 secure unwarranted privileges or exemptions for himself or others;

945 (d) Use for private gain any information not
946 available to the public at large and acquired by him solely by
947 virtue of his position, and no information described in this
948 subsection shall be disclosed by a member to others for purposes
949 of their use for private gain.

950 (2) Each member, officer or employee of the House shall
951 file the statement of economic interest or any other statement
952 required to be filed by the Mississippi Ethics Commission which
953 shall be signed under oath as to the accuracy and completeness of
954 the information set forth to the best knowledge of the person
955 submitting such statement.

956 Required statements hereunder shall be filed with the
957 Mississippi Ethics Commission with such information as is required
958 by law. In the event of any substantial change occurring after
959 the time required for filing as to matters covered in this
960 section, a supplemental statement shall be filed within thirty
961 (30) days thereafter reflecting such new information.

962 In addition to the filings required herein, a member may make
963 additional filings with a request for an advisory opinion from the
964 Ethics Committee on any matter which the member feels is subject
965 to interpretation under this rule.

966 (3) Any member who shall undertake to represent or to
967 intervene for any person for compensation before any state agency
968 shall file a statement with the Ethics Committee within thirty
969 (30) days after undertaking said representation. Such statement
970 shall identify the person represented and the nature of the
971 business involved; provided, however, that this provision shall
972 not apply: (a) where such representation involves only the
973 uncontested or routine actions of administrative officers or
974 employees of the state in issuing or renewing a license, charter,

975 certificate or similar document, and (b) where such representation
976 is before the Mississippi Workers' Compensation Commission.

977 (4) In addition to the filings required herein, copies
978 of the statements required to be filed under this rule shall be
979 filed with the Secretary of State. Such statements shall be open
980 to the general public and shall be filed at the same time as
981 filings required hereinabove.

982 64. Appropriation and revenue bills shall, at regular
983 sessions of the Legislature, have precedence over all other
984 business and no such bill shall be passed during the last five (5)
985 days of the session.

986 65. It shall be the duty of the Committee on Engrossed and
987 Enrolled Bills to examine all engrossed and enrolled bills,
988 correct all mistakes therein, and report the bills to the House
989 and this report shall be in order at any time.

990 THE PREVIOUS QUESTION

991 66. There shall be a motion for the previous question, which
992 being ordered by a majority of members voting, if a quorum be
993 present, shall have the effect to cut off all debate and bring the
994 House to a direct vote upon the immediate question, or questions,
995 on which it has been asked and ordered, except that each side
996 shall be allowed ten (10) minutes on the main question and five
997 (5) minutes on any subsidiary question for debate, the affirmative
998 closing the debate. The previous question may be asked and
999 ordered upon a single motion, a series of motions allowable under
1000 the rules, or an amendment or amendments, or may be made to
1001 embrace all authorized motions or amendments and include the bill
1002 to its recommitment, passage or rejection. It shall be in order
1003 after the previous question shall have been ordered on its
1004 passage, for the Speaker to entertain and submit a motion without
1005 debate to recommit, with or without instruction, to a standing or
1006 select committee. Provided, however, a motion to reconsider the

1007 vote whereby an amendment has been adopted or rejected shall not
1008 be in order after the previous question has been ordered.

1009 67. If the previous question is lost, the motion may not be
1010 renewed until a subsequent vote has been taken on any matter.

1011 68. All incidental questions of order arising after a motion
1012 is made for the previous question, and pending such motion, shall
1013 be decided, whether an appeal or otherwise, without debate.

1014 ON CALLS OF THE ROLL

1015 69. Upon every roll call the names of the members shall be
1016 called alphabetically by surname, except when two (2) or more have
1017 the same surname, in which case the name of the county shall be
1018 added; and if there be two (2) such members from the same county,
1019 the name and initials shall be called, and after the roll has been
1020 once called, the Clerk shall call in their alphabetical order the
1021 names of those not voting; and thereafter the Speaker shall not
1022 entertain a request to record a vote or announce a pair; and the
1023 yeas and nays on any question shall be entered on the Journal, at
1024 the request of one-tenth (1/10) of the members present; and the
1025 yeas and nays shall be entered on the Journal on the final passage
1026 of every bill.

1027 ABSENCE OF QUORUM

1028 70. In the absence of a quorum, fifteen (15) members,
1029 including the Speaker, if there is one, shall be authorized to
1030 compel the attendance of absent members, and in all calls of the
1031 House the doors shall be closed, the names of the members shall be
1032 called by the Clerk, and the absentees noted; and those for whom
1033 no sufficient excuse is made may, by order of a majority of those
1034 present, be sent for and arrested, wherever they may be found, by
1035 officers appointed by the Sergeant at Arms for that purpose, and
1036 their attendance secured and retained; and the House shall
1037 determine upon what condition they shall be discharged. Members
1038 who voluntarily appear shall, unless the House otherwise direct,
1039 be immediately admitted to the Hall of the House, and they shall

1040 report their names to the Clerk to be entered upon the Journal as
1041 present.

1042 71. On the demand of any member, or at the suggestion of the
1043 Speaker, the names of members sufficient to make a quorum in the
1044 Hall of the House who do not vote shall be noted by the Clerk and
1045 recorded in the Journal, and reported to the Speaker with the
1046 names of the members voting and be counted and announced in
1047 determining the presence of a quorum to do business.

1048 72. Whenever a quorum fails to vote on any question and a
1049 quorum is not present and objection is made for that cause, unless
1050 the House shall adjourn there shall be a call of the House, and
1051 the Sergeant at Arms shall forthwith proceed to bring absent
1052 members, and the yeas and nays on the pending question shall at
1053 the same time be considered as ordered.

1054 The Clerk shall call the roll, and each member as he answers
1055 to his name may vote on the pending question, and, after the roll
1056 call is completed, each member arrested shall be brought by the
1057 Sergeant at Arms before the House, whereupon he shall be noted as
1058 present, discharged from arrest, and given an opportunity to vote
1059 and his vote shall be recorded. If those voting on the question
1060 and those who are present and decline to vote shall together make
1061 a majority of the House, the Speaker shall declare that a quorum
1062 is constituted, and the pending question shall be decided as the
1063 majority of those voting shall appear; and thereupon further
1064 proceedings under the call shall be considered as dispensed with.
1065 At any time after the roll call has been completed, the Speaker
1066 may entertain a motion to adjourn, if seconded by a majority of
1067 those present, to be ascertained by actual count by the Speaker;
1068 and if the House adjourns, all proceedings under this section
1069 shall be vacated.

1070 DIVISION OF QUESTION

1071 73. On demand of any member, before the question is put, a
1072 question shall be divided if it include propositions so distinct

1073 in substance, that one being taken away, a substantive proposition
1074 shall remain.

1075 74. Questions of privilege shall be:

1076 First, those affecting the rights of the House collectively,
1077 its safety, dignity and the integrity of its proceedings.

1078 Second, the rights, reputation and conduct of members
1079 individually in their representative capacity only; and shall have
1080 precedence of all other questions except motions to adjourn.

1081 HOURS OF MEETING AND ADJOURNMENT

1082 75. Two o'clock in the afternoon shall be the standing hour
1083 to which the House shall adjourn.

1084 76. The hour at which every motion to adjourn is made shall
1085 be entered on the Journal.

1086 77. The regular hour for committee meetings shall be at 9:00
1087 o'clock a.m., unless otherwise ordered by the committee and it
1088 shall be the duty of the Rules Committee to prescribe a schedule
1089 for regular meetings of standing committees.

1090 78. Every bill or resolution, when favorably reported by the
1091 proper committee, shall be reproduced with sufficient copies so
1092 that copies thereof may be placed on the desk of every member
1093 before any such bill or resolution shall be placed on final
1094 passage. No bill or resolution shall be considered by the House
1095 unless members have been furnished copies thereof, except by
1096 unanimous consent. When a bill or resolution is being considered
1097 by the House, all amendments offered have been disposed of, and
1098 two (2) or more major amendments have been adopted, any member may
1099 move that the bill be engrossed. If such motion be adopted by a
1100 majority of those present and voting, further consideration of
1101 such bill or resolution shall be suspended until the bill or
1102 resolution has been engrossed and all members present have been
1103 furnished copies of the engrossed bill or resolution. When the
1104 membership shall have been furnished copies of the engrossed bill
1105 or resolution, the bill or resolution shall then become pending

1106 business of the House as soon as the main question then under
1107 consideration shall have been disposed of. The committee or any
1108 member proposing a substitute or an amendment which is, in effect,
1109 a substitute for an entire bill or resolution, shall provide all
1110 members present copies of any such substitute or amendment before
1111 the same shall be voted on for consideration or adoption except on
1112 suspension of the rules.

1113 79. When a bill, memorial or resolution has been finally
1114 rejected in the House, it shall not again be introduced or
1115 considered during the same session without notice of three (3)
1116 days and leave of two-thirds (2/3) of the members present and
1117 voting, and a bill so offered for reintroduction shall be regarded
1118 as the same, if it deals substantially with the same subject
1119 matter.

1120 SPECIAL ORDER

1121 80. Special orders of the day not disposed of on the day
1122 assigned, shall stand for every succeeding day, until disposed of.

1123 81. (1) A motion to postpone to a day certain shall require
1124 a majority of those present and voting for its adoption, but a
1125 motion to postpone to a time certain shall be deemed, and treated
1126 as, a motion to set as a special order. (2) A motion to set a
1127 special order may be amended as to time. It is debatable only as
1128 to the question of setting the special order and does not open up
1129 the main question to debate. (3) A motion to set a special order
1130 shall require a two-thirds (2/3) vote of those members present and
1131 voting. (4) When special orders that have been made at different
1132 times come into conflict, the one that was first made takes
1133 precedence over all special orders made afterwards, although the
1134 latter were made for an earlier hour.

1135 CALENDARS

1136 82. Bills reported by committees shall be given a serial
1137 number by the Clerk and shall be placed on the calendar in the
1138 order in which reported by the committee and shall be called for

1139 consideration in that order. When a bill is called for
1140 consideration in the order in which placed on the calendar and is
1141 not considered by the House, it shall go to the heel of the
1142 calendar; provided, however, that separate calendars shall be kept
1143 for the bills reported by the Committees on Ways and Means,
1144 Appropriations, and Local and Private Legislation.

1145 83. Any committee or individual member of the House may
1146 apply to the Committee on Rules to set a time for the taking up,
1147 ahead of its regular place on the calendar, of any measure
1148 favorably reported by the committee to which the measure has been
1149 referred. The Committee on Rules may grant such request by a
1150 majority vote. The Committee on Rules may designate a day of each
1151 legislative week as a noncontroversial bill day. When such a day
1152 be designated, all bills appearing on the calendar shall be
1153 considered in their regular order provided, however, that should
1154 ten percent (10%) of the membership object to any measure on the
1155 noncontroversial calendar stating that it is of a controversial
1156 nature, that measure shall go to the heel of the General House
1157 Calendar.

1158 84. The calendar shall be made up from day to day.

1159 MINORITY REPORT

1160 85. Bills adversely reported by the committees shall not be
1161 placed on the calendar at all unless accompanied by a minority
1162 report signed by one or more members who were present at the
1163 committee meeting at which the bill was reported. Minority
1164 reports must be filed within three (3) legislative days after the
1165 bill has been reported by the committee; a minority report shall
1166 be placed on the calendar at the heel of favorably reported bills
1167 and shall not be considered until all favorably reported bills are
1168 disposed of, except on a suspension of the rules on a two-thirds
1169 (2/3) vote of those elected to the House and on roll call,
1170 whereupon, the House may proceed immediately to the consideration
1171 thereof.

1204 the Speaker or the Clerk; and such others as the Committee on
1205 Rules may designate.

1206 Doors between the lobby and the cloak room, and the door
1207 between the lobby and the Hall of the House shall be kept closed.
1208 Visitors invited and personally accompanied by members are
1209 permitted in the lobby. The Speaker is charged with the
1210 enforcement of this rule, and it shall be the duty of any member,
1211 officer or employee of the House to inform the Speaker of any
1212 violation of this rule. This rule is applicable from one (1) hour
1213 before the House convenes each day until the House adjourns each
1214 day.

1215 90. Privilege of reports from Committee on Rules, and
1216 limitations thereon.

1217 It shall always be in order to call up for consideration a
1218 report from the Committee on Rules (except it shall not be called
1219 up for consideration on the same day it is presented to the House,
1220 unless so determined by a vote of not less than two-thirds (2/3)
1221 of the members voting, but this provision shall not apply during
1222 the last days of the session), and, pending the consideration
1223 thereof, the Speaker may entertain one (1) motion that the House
1224 adjourn; but after the result is announced he shall not entertain
1225 any other dilatory motion until the said report shall have been
1226 fully disposed of.

1227 91. No committee, except the Committee on Rules, shall sit
1228 during the sitting of the House, without special leave.

1229 INTRODUCTION OF BILLS

1230 92. Each member, who desires to introduce a bill shall place
1231 same in box in front of the Clerk's desk at any hour to suit his
1232 convenience, and the Clerk is instructed to take these out at each
1233 session when the order for introduction of bills and
1234 constitutional amendments is reached, and read their titles, and
1235 after the expiration of one (1) legislative day the Speaker shall
1236 refer them to the proper committees; provided, however, that this

1237 shall not prevent the immediate references of said bills or
1238 constitutional amendments under a suspension of the rules.

1239 93. All bills and resolutions must be typewritten with the
1240 title and name of the author on the outside. Bills and
1241 resolutions must be introduced in original (not carbon) form and
1242 should be free from interlineations and corrections. Amendments
1243 proposed by members or by committees must not be written into a
1244 bill or resolution until such amendments shall be adopted by the
1245 House.

1246 94. In addition to any other time provided by law or by
1247 rule, members of the House may file bills or resolutions with the
1248 Clerk of the House at any time during the period between sessions
1249 of the Legislature. Such prefiled bills shall be numbered by the
1250 Clerk of the House and referred by the Speaker to the appropriate
1251 standing committee of the House for study. Such prefiled bills
1252 shall be introduced in the order filed on the first day of the
1253 next succeeding regular session of the Legislature, or special
1254 session if included within the Governor's call, and referred to
1255 committee in the regular order of business of the House.

1256 WITHDRAW FROM COMMITTEE

1257 95. (1) Except as otherwise provided in subsections (2),
1258 (3) and (4) of this rule, every House bill, resolution or measure
1259 referred to any committee, and not reported therefrom with a
1260 recommendation by the twenty-seventh day of a ninety-day session
1261 and by the sixty-fourth day of a one-hundred-twenty-five-day
1262 session, and every Senate bill, resolution or measure referred to
1263 any committee, and not reported therefrom by the fifty-fifth day
1264 of a ninety-day session and by the ninetieth day of a
1265 one-hundred-twenty-five-day session, may be withdrawn from said
1266 committee on a motion made in writing, which said motion must be
1267 read by the clerk immediately upon its introduction, setting forth
1268 the reasons why said bill should be withdrawn from the committee,
1269 by a vote of a majority of the members elected to the House. It

1270 may then be taken up and considered by the Committee of the Whole
1271 House in accordance with the procedure set forth in House Rule 56,
1272 or, by a majority vote of those present and voting it may be
1273 recommitted to a standing committee. Provided, that during
1274 extraordinary or special sessions of the Legislature, any bill,
1275 including an appropriation or revenue bill, may be withdrawn from
1276 committee after five (5) days from the date of reference. A
1277 motion to withdraw a bill from a committee shall not be voted upon
1278 by the House on the day which the motion is made, except upon
1279 suspension of the rules by a two-thirds (2/3) vote of those
1280 present and voting.

1281 (2) Any House appropriation bill or revenue bill
1282 referred to the House Appropriations Committee or the House Ways
1283 and Means Committee and not reported therefrom with a
1284 recommendation within ten (10) legislative days after referral may
1285 be withdrawn from the committee in accordance with the procedure
1286 set forth in subsection (1) of this rule if the motion for
1287 withdrawal is made by the fiftieth day of a ninety-day session and
1288 by the eighty-fifth day of a one-hundred-twenty-five-day session.

1289 (3) Any Senate appropriation bill or revenue bill
1290 referred to the House Appropriations Committee or the House Ways
1291 and Means Committee and not reported therefrom with a
1292 recommendation within ten (10) legislative days after referral may
1293 be withdrawn from the committee in accordance with the procedure
1294 set forth in subsection (1) of this rule if the motion for
1295 withdrawal is made by the seventieth day of a ninety-day session
1296 and by the one-hundred-fifth day of a one-hundred-twenty-five-day
1297 session.

1298 (4) For the purposes of this rule, the term 'revenue
1299 bill' shall include only those bills whose primary purpose is to
1300 increase or decrease taxes or to authorize the issuance of bonds
1301 or the borrowing of money. Bills which are primarily for

1302 regulatory purposes which have revenue provisions included shall
1303 not be considered as revenue bills for the purposes of this rule.

1304 BILL'S SHALL LIE ON TABLE ONE DAY

1305 96. Every bill or resolution requiring the signature of the
1306 Governor, all resolutions proposing amendments to the
1307 Constitution, and all reports of committees except the report of
1308 the Committee on Rules, shall lie on the table one (1) day before
1309 being considered except by suspension of the rules.

1310 ROLL CALLS

1311 97. When taking the yeas and nays on any question to be
1312 voted upon, the electrical roll-call system may be used, and, when
1313 so used, shall have the same force and effect as a roll call taken
1314 as otherwise provided in the Rules of the House.

1315 When the House is ready to vote upon any question requiring a
1316 roll call and the vote is to be taken by the electrical roll-call
1317 system, the Speaker shall announce:

1318 "The question is on the passage of (designating the matter to
1319 be voted upon). All in favor of such question shall vote 'yea';
1320 all opposed shall vote 'nay.' The House will now proceed to vote."

1321 When sufficient time has been allowed the members to vote,
1322 the Speaker shall announce: "Have all voted?" And after a short
1323 pause, the Speaker shall direct the Clerk to lock the machine and
1324 record the vote.

1325 The Clerk shall immediately start the vote-recording
1326 equipment and, when the vote is completely recorded, shall advise
1327 the Speaker of the result, and the Speaker shall announce the
1328 result to the House. The Clerk shall enter upon the Journal the
1329 result in the manner provided by the Rules of the House.

1330 After the voting machine has been locked, but prior to the
1331 display of the tabulated vote on the electric voting board of the
1332 result of a roll call, any member may request to (1) change his
1333 vote, or (2) vote. After the vote has been tabulated and
1334 displayed on the electric voting board, a member with unanimous

1335 consent may change his vote on the measure, except that no such
1336 change of vote shall be permitted where such vote would alter the
1337 final vote on the measure.

1338 No member shall vote for another member, nor shall any person
1339 not a member cast a vote for a member. In addition to such
1340 penalties as may be prescribed by law, any member who shall vote
1341 or attempt to vote for another member may be punished in such a
1342 manner as the House may determine. If a person not a member shall
1343 vote or attempt to vote for any member, he shall be barred from
1344 the floor of the House for the remainder of the session and may be
1345 punished further in such manner as the House may deem proper, in
1346 addition to such punishment as may be prescribed by law.

1347 98. Neither the Speaker nor the House exercises jurisdiction
1348 over pairs, and the only cognizance of them taken by the rules is
1349 the provision for the announcement and publication.

1350 99. No member shall be permitted to give an oral
1351 explanation of his vote but may reduce his explanation to writing
1352 in not more than one hundred (100) words, and upon filing with the
1353 Clerk, this explanation shall be spread on the Journal.

1354 MOTION TO RECONSIDER

1355 100. Any member voting on any measure, shall be privileged
1356 to enter a motion to reconsider the vote whereby the measure is
1357 disposed of, at any time within the period prescribed by the rules
1358 of this House.

1359 101. A motion to reconsider having been properly made and
1360 entered in the Journal shall become the property of the House and
1361 may be called up by any member of the House.

1362 When a measure requires more than a majority vote for passage
1363 it may still be reconsidered by a majority vote.

1364 102. When a bill is read the third time in regular order,
1365 and not under suspension of the rules, it shall be considered
1366 engrossed and the House on the next or any succeeding legislative

1367 day may proceed to a vote on its final passage in the same manner
1368 as if the rules had been suspended for its consideration.

1369 **PASSAGE OVER VETO**

1370 103. (1) Upon return of a bill without the approval of the
1371 Governor accompanied by the Governor's objections to the bill, the
1372 House shall proceed to reconsider the bill by either an immediate
1373 vote on the motion for passage, a Governor's veto notwithstanding,
1374 or by referral to the committee which originally recommended said
1375 bill. The manner of reconsideration shall be determined, upon
1376 proper motion, by majority vote of those present. Should the bill
1377 be reconsidered by referral to the committee of origin, said
1378 committee shall report, with written recommendations, to the full
1379 House not more than three (3) legislative days from the referral
1380 of the bill in question. At the time of the report of such
1381 committee only two (2) courses shall be open:

1382 (a) Allow Governor's veto to stand.

1383 (b) Override Governor's veto.

1384 Only one (1) motion for the two (2) courses shall be in order
1385 and that is the motion for passage, a Governor's veto
1386 notwithstanding. Said motion, while not mandatory, shall be in
1387 order at any time on the same legislative day that the report of
1388 the committee is made but shall not be in order thereafter.

1389 (2) Upon calling up a bill for reconsideration and
1390 passage, a Governor's veto notwithstanding, the question before
1391 the House is not of reconsideration but that of overriding the
1392 Governor's veto.

1393 (3) A two-thirds (2/3) vote of those members present
1394 and voting, a quorum being present, is required to pass a bill
1395 over a Governor's veto.

1396 (4) A motion to reconsider the vote by which a vetoed
1397 bill is passed or rejected is not in order.

1398 104. The space immediately below the Clerk's desk shall be
1399 set aside to accommodate representatives of the press, radio and

1400 television media wishing to report proceedings and such
1401 representatives shall be admitted to such area under such
1402 regulations as the Rules Committee may from time to time
1403 prescribe. The supervision of such portion of the floor shall be
1404 fixed in the Committee on Rules.

1405 (a) The correspondents shall abide by such rules and
1406 regulations as may be adopted by the Rules Committee.

1407 (b) The press table allotted to representatives of the
1408 news media shall be for their exclusive use and persons not
1409 holding correspondents' cards shall not be entitled to admission
1410 thereto.

1411 OPEN MEETINGS

1412 All official meetings of any standing, interim or special
1413 committee of the House of Representatives, but not including
1414 conference committees, unless otherwise provided by this rule or
1415 the Constitution of the United States or the State of Mississippi,
1416 are declared to be public meetings and shall be open to the public
1417 at all times unless declared an executive session as provided
1418 herein. Any such House committee may enter into executive session
1419 for the transaction of public business; provided, however, all
1420 meetings of any such committee shall commence as an open meeting,
1421 and an affirmative vote of a majority of all members present shall
1422 be required to declare an executive session. The procedure to be
1423 followed by such committee in declaring an executive session shall
1424 be as follows: Any member shall have the right to require a
1425 closed determination upon the issue of whether or not to declare
1426 an executive session. Such member, by motion, shall require the
1427 meeting to be closed for a preliminary determination of the
1428 necessity for executive session. No other business shall be
1429 transacted until the discussion of the nature of the matter
1430 requiring executive session has been completed and a vote taken on
1431 the issue. The total vote on the question of entering into an
1432 executive session shall be recorded and spread upon the minutes of

1433 such committee. Any such vote whereby executive session is
1434 declared shall be applicable only to that particular meeting.

1435 Any such House committee may make and enforce reasonable
1436 rules and regulations for the conduct of persons attending its
1437 meetings.

1438 Minutes shall be kept of all House committees, in open or
1439 executive session, and shall consist of a written record of
1440 attendance and final actions taken at such meetings. Such minutes
1441 shall be open to public inspection during regular business hours
1442 within a reasonable time after adjournment.

1443 During a regular or special session of the Legislature,
1444 notice of meetings of all House committees, other than conference
1445 committees, shall be given by announcement on the loudspeaker
1446 during sessions of the House or by posting on a bulletin board
1447 provided for that purpose.

1448 When not in session, the meeting times and places of all
1449 House committees shall be kept by the Clerk of the House of
1450 Representatives and shall be available at all times during regular
1451 working hours to the public and news media.

1452 CONSTITUTIONAL PROVISIONS

1453 105. Neither house shall, without the consent of the other,
1454 adjourn for more than three (3) days, nor to any other place than
1455 that in which the two (2) houses shall be sitting (Art. 4, Sec.
1456 57, Constitution).

1457 106. No law shall be revived or amended by reference to its
1458 title only, but the section or sections, as amended or revived,
1459 shall be inserted at length. (Art. 4, Sec. 61, Constitution).

1460 107. No appropriation bill shall be passed by the
1461 Legislature which does not fix definitely the maximum sum thereby
1462 authorized to be drawn from the Treasury. (Art. 4, Sec. 63,
1463 Constitution).

1464 108. All votes on the final passage of any measure shall be
1465 subject to reconsideration for at least one (1) whole legislative

1466 day, and no motion to reconsider such vote shall be disposed of
1467 adversely on the day on which the original vote was taken, except
1468 on the last day of the session. (Art. 4, Sec. 65, Constitution).

1469 109. No new bill shall be introduced into either house of
1470 the Legislature during the last three (3) days of the session.
1471 (Art. 4, Sec. 67, Constitution).

1472 110. No law granting a gratuity or donation in favor of any
1473 person or object shall be enacted except by the concurrence of
1474 two-thirds (2/3) of the members-elect of each branch of the
1475 Legislature, nor by any vote for a sectarian purpose or use. (Art.
1476 4, Sec. 66, Constitution).

1477 111. General appropriation bills shall contain only the
1478 appropriations to defray the ordinary expenses of the executive,
1479 legislative and judicial departments of the government; to pay
1480 interest on state bonds and to support the common schools. All
1481 other appropriations shall be made by separate bills, each
1482 embracing but one (1) subject. Legislation shall not be engrafted
1483 on appropriation bills, but the same may prescribe the conditions
1484 on which the money may be drawn, and for what purposes paid. (Art.
1485 4, Sec. 69, Constitution).

1486 112. No revenue bill, or any bill providing for assessments
1487 of property for taxation, shall become a law except by a vote of
1488 at least three-fifths (3/5) of the members of each house present
1489 and voting. (Art. 4, Sec. 70, Constitution).

1490 113. Every bill introduced into the Legislature shall have a
1491 title, and the title ought to indicate clearly the subject matter
1492 or matters of the proposed legislation. Each committee to which a
1493 bill may be referred shall express, in writing, its judgment of
1494 the sufficiency of the title of the bill, and this, too, whether
1495 the recommendation be that the bill do pass or do not pass. (Art.
1496 4, Sec. 71, Constitution).

1497 114. No bill shall become a law until it shall have been
1498 referred to a committee of each house and returned therefrom with
1499 a recommendation in writing. (Art. 4, Sec. 74, Constitution).

1500 115. No bill passed after the adoption of this Constitution
1501 to make appropriations of money out of the State Treasury shall
1502 continue in force more than six (6) months after the meeting of
1503 the Legislature at its next regular session; nor shall such bill
1504 be passed except by the votes of a majority of all the members
1505 elected to each house of the Legislature. (Art. 4, Sec. 64,
1506 Constitution).

1507 116. There shall be appointed in each house of the
1508 Legislature a standing committee on Local and Private Legislation;
1509 the House committee to consist of seven (7) Representatives, and
1510 the Senate committee of five (5) Senators. No local or private
1511 bill shall be passed in either house until it shall have been
1512 referred to said committee thereof, and shall have been reported
1513 back with a recommendation in writing that it do pass, stating
1514 affirmatively the reasons therefor, and why the end to be
1515 accomplished should not be reached by a general law, or by a
1516 proceeding in court; or if the recommendation of the committee be
1517 that the bill do not pass, then it shall not pass the house to
1518 which it is so reported unless it be voted by a majority of all
1519 the members elected thereto. If a bill is passed in conformity to
1520 the requirements hereof, other than such as are prohibited in the
1521 next section, the courts shall not, because of its local, special,
1522 or private nature, refuse to enforce it. (Art. 4, Sec. 89,
1523 Constitution).